

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

v.

ORDER
09-CR-376

RONALD EVANS,

Defendant.

This case was referred to Magistrate Judge H. Kenneth Schroeder, Jr., pursuant to 28 U.S.C. § 636(b)(1). On January 22, 2010, defendant filed a motion to suppress statements. On May 6, 2010, Magistrate Judge Schroeder filed a Report and Recommendation, recommending that defendant's motion to suppress statements be denied.

Plaintiff filed objections to the Report and Recommendation on May 21, 2010 and the government filed a response on September 21, 2010. Oral argument on the objections was held on September 28, 2010.

Pursuant to 28 U.S.C. § 636(b)(1), this Court must make a de novo determination of those portions of the Report and Recommendation to which objections have been made. Upon a de novo review of the Report and Recommendation, and after reviewing the submissions and hearing argument from the parties, the Court adopts the proposed findings of the Report and Recommendation.

Accordingly, for the reasons set forth in Magistrate Judge Schroeder's Report and Recommendation, defendant's motion to suppress statements is denied.

This parties shall appear for a meeting to set a trial date on October 27, 2010 at 9:00 a.m.

SO ORDERED.

s/ Richard J. Arcara
HONORABLE RICHARD J. ARCARA
UNITED STATES DISTRICT JUDGE

DATED: October 26, 2010